

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION
FILED
U.S. DISTRICT COURT
DISTRICT OF NEW ORLEANS
SEP 28 2006

DOCKET NO. 1657 2006 OCT 23 PM 2: 15 FILED
CLERK'S OFFICE

OFFICE OF THE CLERK
BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-64)

4:06 CV 3184
4:06 CV 3186
4:06 CV 3188

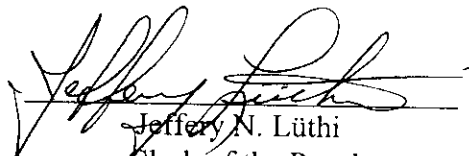
On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,400 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

OCT 16 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SCHEDULE CTO-64 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

DIST. DIV. C.A. #CASE CAPTION

ALABAMA NORTHERN

ALN 1 06-1628	Barbara D. Davison, et al v. Merck & Co., Inc.
ALN 2 06-1570	Glenn W. Baty, Jr. v. Merck & Co., Inc.
ALN 2 06-1625	Jo Lynn Perkins, et al. v. Merck & Co., Inc.
ALN 2 06-1630	Audrey G. Pearson, et al. v. Merck & Co., Inc.
ALN 3 06-1626	James W. Russell, et al. v. Merck & Co., Inc.
ALN 4 06-1627	Herber R. Norckauer v. Merck & Co., Inc.
ALN 4 06-1629	Marjorie Carson, et al. v. Merck & Co., Inc.
ALN 5 06-1535	Linda T. Eaves, et al. v. Merck & Co., Inc.

ARKANSAS WESTERN

ARW 3 06-3050	John J. O'Neill v. Merck & Co., Inc.
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CALIFORNIA CENTRAL

CAC 2 06-3235	Carolyn Wunder, etc. v. Merck & Co., Inc.
CAC 2 06-4748	Cleola Williams, et al. v. Merck & Co., Inc.
CAC 2 06-4763	Dr. Gilbert Swe, et al. v. Merck & Co., Inc., et al.

CALIFORNIA EASTERN

CAE 1 06-1006	Brenda De La Cruz, et al. v. Merck & Co., Inc.
CAE 2 06-1826	Gladys Herring, et al. v. Merck & Co., Inc., et al. Opposed 10/16/06
CAE 2 06-1845	Ruth Beatty v. Merck & Co., Inc., et al. Opposed 10/12/06
CAE 2 06-1941	Mary Grove v. Merck & Co., Inc., et al. Opposed 10/12/06
CAE 2 06-1954	Donna Moret v. Merck & Co., Inc., et al. Opposed 10/12/06

CALIFORNIA NORTHERN

CAN 3 06-4921	Jeffrey Kaufman, et al. v. Merck & Co., Inc., et al. Opposed 10/12/06
CAN 3 06-5332	Isaac Pirnazar v. Merck & Co., Inc.

COLORADO

CO 1 06-1529	Peter Appenzeller v. Merck & Co., Inc.
CO 1 06-1676	Safdar Lilak v. Merck & Co., Inc.
CO 1 06-1679	Donald Patterson v. Merck & Co., Inc.

CONNECTICUT

CT 3 06-1336	Joni Barnett, et al. v. Merck & Co., Inc.
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FLORIDA MIDDLE

FLM 3 06-742	Kathryn Jenkins, etc. v. Merck & Co., Inc., et al.
FLM 5 06-291	Steven Pazian, etc. v. Merck & Co., Inc.
FLM 8 06-1507	Jerry Kaiser v. Merck & Co., Inc., et al.
FLM 8 06-1572	Ena Diaz v. Merck & Co., Inc., et al.
FLM 8 06-1593	Thomas Greenlee, et al. v. Merck & Co., Inc.

FLORIDA NORTHERN

FLN 1 06-130	Theodore Presley v. Merck & Co., Inc., et al.
FLN 1 06-163	Betty Daniels v. Merck & Co., Inc., et al.

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
FLORIDA SOUTHERN	
FLS 0 06-61147	Dorothy J. Matuszak, et al. v. Merck & Co., Inc.
FLS 0 06-61148	Sylvia Cardone, et al. v. Merck & Co., Inc.
FLS 9 06-80732	Allan Reise, et al. v. Merck & Co., Inc.
GEORGIA MIDDLE	
GAM 4 06-73	Helen Hightower, etc. v. Merck & Co., Inc.
GAM 5 06-286	Barbara P. Stone, et al. v. Merck & Co., Inc.
GEORGIA NORTHERN	
GAN 1 06-1749	Veronica Davis v. Merck & Co., Inc.
GAN 1 06-1751	Barbara Jean Brown v. Merck & Co., Inc.
GAN 1 06-1752	Audrey Culbreth v. Merck & Co., Inc.
GAN 1 06-1753	Susan Patton, etc. v. Merck & Co., Inc.
GAN 1 06-1754	Leta Ballard, etc. v. Merck & Co., Inc.
GAN 1 06-1965	Muriel Burnat v. Merck & Co., Inc.
GEORGIA SOUTHERN	
GAS 6 06-75	Mary Sowell, etc. v. Merck & Co., Inc.
IOWA SOUTHERN	
IAS 4 06-403	James F. Lockard, et al. v. Merck & Co., Inc.
IDAHO	
ID 1 06-326	Dorothy LeFavi v. Merck & Co., Inc.
ILLINOIS CENTRAL	
ILC 3 06-3188	Jerry Highsmith v. Merck & Co., Inc.
ILLINOIS NORTHERN	
ILN 1 06-4602	Joseph Szerbinski, et al. v. Merck & Co., Inc.
ILLINOIS SOUTHERN	
ILS 3 06-630	Lorene Deist, et al. v. Merck & Co., Inc., et al. Opposed 10/10/06
ILS 3 06-634	Jane Mannings, et al. v. Merck & Co., Inc., et al. Opposed 10/10/06
ILS 3 06-658	Roland Beavers, et al. v. Merck & Co., Inc.
INDIANA SOUTHERN	
INS 2 06-160	John A. Shipman, Sr., et al. v. Merck & Co., Inc.
INS 2 06-169	Leslie D. Johnston, et al. v. Merck & Co., Inc.
INS 2 06-181	Carolyn Willis v. Merck & Co., Inc.
INS 2 06-182	Nancy A. Chambers, et al. v. Merck & Co., Inc.
KANSAS	
KS 2 06-2331	Wanda Fendley v. Merck & Co., Inc.
KS 2 06-2338	Jack Nachman, et al. v. Merck & Co., Inc.
LOUISIANA WESTERN	
LAW 5 05-1710	Jeffrey Brinson, et al. v. Merck & Co., Inc.
MINNESOTA	
MN 0 06-3189	John P. Erickson, etc. v. Merck & Co., Inc.
MN 0 06-3193	Paul Kunin, et al. v. Merck & Co., Inc.
MN 0 06-3199	Raye Simonian, et al. v. Merck & Co., Inc.
MN 0 06-3351	Ambrose Reese, etc. v. Merck & Co., Inc.
MN 0 06-3444	Shirley P. Worth v. Merck & Co., Inc.
MN 0 06-3449	Ronald Swanson, et al. v. Merck & Co., Inc.
MN 0 06-3503	Osmo Larri v. Merck & Co., Inc.

SCHEDULE CTO-64 - TAG-ALONG ACTIONS (MDL-1657)

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DIST. DIV. C.A. #CASE CAPTION

MISSOURI EASTERN

~~MOE 4 06-1157~~ ~~Stephen D. Murch v. Merck & Co., Inc., et al.~~ Opposed 10/10/06
 MOE 4 06-1181 Jack Priesmeyer v. Merck & Co., Inc.

MISSISSIPPI SOUTHERN

MSS 1 06-760 Cynthia King v. Merck & Co., Inc.
 MSS 1 06-761 Gladys Harrien v. Merck & Co., Inc.
 MSS 1 06-762 Gary Wyman, Sr. v. Merck & Co., Inc.
 MSS 1 06-763 Robert Seal v. Merck & Co., Inc.

NORTH CAROLINA EASTERN

~~NCE 7 06-115~~ ~~Eugene Seals, et al. v. Merck & Co., Inc., et al.~~ Opposed 10/10/06
 NCE 7 06-119 Alma F. Owens v. Merck & Co., Inc.

NORTH CAROLINA MIDDLE

NCM 1 06-710 Michael R. Ingram, et al. v. Merck & Co., Inc.
 NCM 1 06-711 Jeffery L. Ireland, et al. v. Merck & Co., Inc.
 NCM 1 06-714 Irene G. Berckman, et al. v. Merck & Co., Inc.

NORTH CAROLINA WESTERN

NCW 1 06-236 Marshall D. Justice, et al. v. Merck & Co., Inc.
 NCW 1 06-257 Cynthia M. Beam, et al. v. Merck & Co., Inc.
 NCW 3 06-365 Jay H. Carpenter, et al. v. Merck & Co., Inc.
 NCW 3 06-366 William H. Cooper, et al. v. Merck & Co., Inc.

NEBRASKA

NE 4 06-3184 Kenneth J. Nowak, et al. v. Merck & Co., Inc.
 NE 4 06-3186 Steven Harrington, et al. v. Merck & Co., Inc.
 NE 4 06-3188 Aralon W. Oestmann, et al. v. Merck & Co., Inc.

NEW JERSEY

NJ 3 06-3384 Frank Britton, et al. v. Merck & Co., Inc.
 NJ 3 06-4081 Constance Ware, et al. v. Merck & Co., Inc.
 NJ 3 06-4160 John Aubuchon, et al. v. Merck & Co., Inc.

NEVADA

NV 2 06-1018 Bernell Shaffner v. Merck & Co., Inc., et al.

NEW YORK EASTERN

NYE 1 06-3790 Joseph D. Wein, etc. v. Merck & Co., Inc.

NEW YORK NORTHERN

~~NYN 1 06-932~~ ~~Dennis Richard Harrison v. Merck & Co., Inc.~~ Opposed 10/16/06

NEW YORK SOUTHERN

NYS 1 06-5665 William Kahle, et al. v. Merck & Co., Inc.
 NYS 1 06-5896 Carmen I. Reyes, etc. v. Merck & Co., Inc.

NEW YORK WESTERN

NYW 1 06-517 Ronald V. Morley, Sr. v. Merck & Co., Inc.
 NYW 6 06-6410 Gregory Bennett, etc. v. Merck & Co., Inc., et al.
 NYW 6 06-6427 Stephanie Guy, et al. v. Merck & Co., Inc., et al.
 NYW 6 06-6428 Arline M. Ellis, et al. v. Merck & Co., Inc., et al.
 NYW 6 06-6429 Karen Sarach, et al. v. Merck & Co., Inc., et al.

SCHEDULE CTO-64 - TAG-ALONG ACTIONS (MDL-1657)

DIST. DIV. C.A. #CASE CAPTION

OHIO NORTHERN

OHN 1 06-1982
OHN 1 06-1984
OHN 1 06-2106
OHN 3 06-1877
OHN 3 06-1898
OHN 3 06-2062

Diane M. Lamoreaux, et al. v. Merck & Co., Inc.
Howard Moss v. Merck & Co., Inc.
Markus Bruckner v. Merck & Co., Inc.
Pearl D. King, et al. v. Merck & Co., Inc.
James G. Siefker, etc. v. Merck & Co., Inc.
Howard Davenport, et al. v. Merck & Co., Inc.

OKLAHOMA EASTERN

OKE 6 06-309
OKE 6 06-310
OKE 6 06-341

Carol Chastain v. Merck & Co., Inc.
Rick Swafford v. Merck & Co., Inc.
Tommy Combs, et al. v. Merck & Co., Inc.

OKLAHOMA NORTHERN

OKN 4 06-395
OKN 4 06-444
OKN 4 06-450
OKN 4 06-452

Ruby Erhart, etc. v. Merck & Co., Inc.
Duain W. Hogue v. Merck & Co., Inc.
Helen L. Post, et al. v. Merck & Co., Inc.
Ronald Kelsey v. Merck & Co., Inc.

OKLAHOMA WESTERN

OKW 5 06-904

Willa Jean Poe, et al. v. Merck & Co., Inc.

PENNSYLVANIA EASTERN

PAE 2 06-3419
PAE 2 06-3439
PAE 2 06-3440
PAE 2 06-3441
PAE 2 06-3498
PAE 2 06-3534
PAE 2 06-3557
PAE 2 06-3558
PAE 2 06-3593
PAE 2 06-3627
PAE 2 06-3645
PAE 2 06-3700
PAE 2 06-3722
PAE 2 06-3804

George Acaley, et al. v. Merck & Co., Inc., et al.
Renate Eaton, etc. v. Merck & Co., Inc., et al.
Dolores Bultman v. Merck & Co., Inc., et al.
Thomas H. Whitfield, et al. v. Merck & Co., Inc., et al.
Dorothy J. Larson, et al. v. Merck & Co., Inc., et al.
Henrietta L. Morris, et al. v. Merck & Co., Inc., et al.
Maria Oquendo v. Merck & Co., Inc., et al.
Bradford Clayton Wallis, et al. v. Merck & Co., Inc., et al.
Henry Bell, et al. v. Merck & Co., Inc., et al.
Edward J. Silverman, et al. v. Merck & Co., Inc., et al.
Nancy M. Miller, etc. v. Merck & Co., Inc.
Eric J. Cohen, et al. v. Merck & Co., Inc., et al.
Shirley D. McGinley, etc. v. Merck & Co., Inc.
Mary Ann Romerger, etc. v. Merck & Co., Inc.

PENNSYLVANIA WESTERN

PAW 2 06-1120

Audrey Sapida v. Merck & Co., Inc.

SOUTH CAROLINA

SC 4 06-2332
SC 4 06-2369

Carlos R. Delafuente, et al. v. Merck & Co., Inc.
Michael E. Watson, et al. v. Merck & Co., Inc.

TEXAS EASTERN

TXE 2 06-312
TXE 5 06-191

Johnny Kincaid, et al. v. Merck & Co., Inc.
Bertha Free v. Merck & Co., Inc.

TEXAS NORTHERN

TXN 4 06-538
TXN 4 06-569

Kathryn Jo Trotter v. Merck & Co., Inc.
Katherine Shelly Moyers v. Merck & Co., Inc.

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DIST. DIV. C.A. #CASE CAPTION

TEXAS SOUTHERN

TXS 4 06-2565

Winston Webber v. Merck & Co., Inc.

TEXAS WESTERN

TXW 2 06-69

Alicia E. Ramos, et al. v. Merck & Co., Inc.

UTAH

UT 1 06-92

Joyce Mower, etc. v. Merck & Co., Inc.

UT 2 06-697

Beryl Ball, etc. v. Merck & Co., Inc.

VIRGINIA WESTERN

VAW 2 06-48

Nancy Osborne, et al. v. Merck & Co., Inc.

WASHINGTON WESTERN

WAW 2 06-1113

Gene Mesker, et al. v. Merck & Co., Inc.

WEST VIRGINIA SOUTHERN

~~WVS 2 06-619~~~~Ronda Lee Smith, etc. v. Health Management Associates of West Virginia, Inc., et al.~~
Vacated 10/13/06

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DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

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Page 5 of 5

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INVOLVED CLERKS LIST (CTO-64)
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

Bruce Rifkin, Clerk U.S. Courthouse 700 Stewart Street Seattle, WA 98101	Geri M. Smith, Clerk United States District Court 2-161 Carl B. Stokes U.S. Courthouse 801 West Superior Avenue Cleveland, OH 44113	John Brubaker, Clerk P.O. Box 2708 Greensboro, NC 27402-2708
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Christopher R. Johnson, Clerk U.S. District Court P.O. Box 6420 Fayetteville, AR 72702-6420	Gregory C. Langham, Clerk A105 Alfred A. Arraj U.S. Courthouse 901 19th St. Denver, CO 80294-3589	John M. Waters, Clerk 151 Paul Findley Federal Bldg. 600 East Monroe Street Springfield, IL 62701
Clarence Maddox, Clerk Federal Courthouse Square 301 North Miami Avenue Miami, FL 33128-7788	Gregory J. Leonard, Clerk P.O. Box 124 Columbus, GA 31902-0124	Karen S. Mitchell, Clerk 310 U.S. Courthouse 501 West 10th Street Fort Worth, TX 76102-3643
David J. Maland, Clerk 100 East Houston Street, #125 Marshall, TX 75670-4144	Gregory J. Leonard, Clerk P.O. Box 128 Macon, GA 31202	Kevin F. Rowe, Clerk Richard C. Lee U.S. Courthouse 141 Church Street New Haven, CT 06510
David J. Maland, Clerk U.S. District Court 301 U.S. Courthouse & P.O. Building 500 North State Line Avenue Texarkana, TX 75501	J. Michael McMahon, Clerk Daniel Patrick Moynihan U.S. Courthouse 500 Pearl Street New York, NY 10007-1312	Lance S. Wilson, Clerk Lloyd D. George U.S. Courthouse 333 Las Vegas Boulevard, South Las Vegas, NV 89101
Denise Lucks, Clerk U.S. District Court P.O. Box 83468 Lincoln, NE 68508-3468	J.T. Noblin, Clerk U.S. District Court 672 Judge Dan M. Russell, Jr. U.S. Courthouse 2010 15th Street, Suite 403 Gulfport, MS 39501	Larry W. Propes, Clerk P.O. Box 2317 Florence, SC 29503-2317
Frank G. Johns, Clerk 309 U.S. Courthouse Veach-Baley Federal Complex 100 Otis Street Asheville, NC 28801	Jack L. Wagner, Clerk 5000 U.S. Courthouse 1130 O Street Fresno, CA 93721	Laura A. Briggs, Clerk 207 Federal Building 30 North 7th Street Terre Haute, IN 47808
Frank G. Johns, Clerk 210 Charles R. Jonas Federal Building 401 West Trade Street Charlotte, NC 28202	Jack L. Wagner, Clerk 4-200 U.S. Courthouse 501 I Street Sacramento, CA 95814-2322	Lawrence K. Baerman, Clerk 345 James T. Foley U.S. Courthouse 445 Broadway Albany, NY 12207
Fred Borch, Clerk U.S. District Court P.O. Box 25670 Raleigh, NC 27611	James G. Woodward, Clerk 3300 Thomas F. Eagleton U.S. Courthouse 111 South Tenth Street St. Louis, MO 63102-1116	Luther D. Thomas, Clerk 2211 Richard B. Russell Fed. Bldg. & U.S. Courthouse 75 Spring Street, S.W. Atlanta, GA 30303-3361
		Marge Krahn, Clerk P.O. Box 9344 Des Moines, IA 50306-9344

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350 South Main Street
Salt Lake City, UT 84101-2180

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Philadelphia, PA 19106-1797

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P.O. Box 61010
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140 Hugo L. Black U.S. Courthouse
1729 5th Avenue North
Birmingham, AL 35203

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Minneapolis, MN 55415

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Phillip Burton U.S. Courthouse
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San Francisco, CA 94102-3489

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130 United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201-1818

Robert D. Dennis, Clerk
1210 U.S. Courthouse
200 N.W. 4th Street
Oklahoma City, OK 73102-3092

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1167 U.S. Courthouse
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